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Docket No. 60,469-219
OT-5094REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Applicant is grateful for the indication of allowable subject matter. As explained below, Applicant believes that all claims are allowable.

Claims 1, 2, 3, 8, 10, 12, 17 and 20 are amended above. New claims 21-25 are presented. New claim 21 presents original claim 3 rewritten in independent form. New claim 22 presents original claim 5 rewritten in independent form. New claim 23 presents original claim 7 rewritten in independent form. New claim 24 presents original claim 12 rewritten in independent form. New claim 25 presents claim 19 rewritten in independent form.

Applicant respectfully requests reconsideration of this application.

The phrase "adapted to" has been deleted from claims 1-3 by the amendments above. Therefore, the claim objections raised on page 2 of the Office Action should be withdrawn.

Claim 8 has been amended to delete the word "the" in front of the word "load" so that the rejection under 35 U.S.C. §112 raised on page 2 of the Office Action should be withdrawn.

Applicant respectfully traverses the rejection of claims 1-2, 6 and 8-11 under 35 U.S.C. §103 based upon the proposed combination of *Salmon, et al.* and *Wagatsuma, et al.* There is no *prima facie* case of obviousness because the proposed combination does not locate a support device inside a hoistway. The *Salmon, et al.* reference shows an arrangement that would be positioned in a machine room that is above a hoistway. At the time the application for the *Salmon, et al.* reference was filed, machine rooms were used for locating that type of machine above a hoistway. Machine roomless elevators (e.g., those where the machine is located inside the hoistway instead of in a machine room outside of the hoistway) were not introduced until the

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1990's. Additionally, the *Wagatsuma, et al.* reference in Figure 1 discloses an arrangement where the terminations 160 are located in a machine room outside of a hoistway.

Applicant's claims 1 and 10 include the location of the support device inside a hoistway. Therefore, the proposed combination of the *Salmon, et al.* and *Wagatsuma, et al.* references does not establish a *prima facie* case of obviousness.

It cannot be considered obvious to move the machine of the *Salmon, et al.* reference into a hoistway and then combine that with the arrangement shown in Figure 1 of the *Wagatsuma, et al.* reference. Even if it were possible to move the machine, beams and frame of the *Salmon, et al.* reference into a hoistway, the *Wagatsuma, et al.* reference teaches away from using the termination arrangement of Figure 1 when a machine is placed within a hoistway (e.g., when a machine roomless elevator system is contemplated). The *Wagatsuma, et al.* reference teaches terminations supported on a guide rail if a machine roomless arrangement is used. Therefore, if one were to place the machine of *Salmon, et al.* in a hoistway and combine that with the *Wagatsuma, et al.* reference, the resulting combination would have to include the termination arrangement of the *Wagatsuma* reference that supports the terminations on a guide rail. The terminations in such a combination could not be supported on a portion of the structural arrangement shown in the *Salmon, et al.* reference, in part, because the *Wagatsuma* reference requires supporting terminations on a guide rail if the terminations are not in a machine room above the hoistway. In other words, it is not possible to combine the *Salmon, et al.* and *Wagatsuma, et al.* references in the manner suggested by the Examiner and to locate such a combination in a hoistway. The only place that the Examiner's combination could possibly be located would be in a machine room outside of a hoistway (assuming, for the sake of discussion only, that the combination could be made at all).

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Applicant respectfully traverses the rejection of claims 3, 8-9, 16-18 and 20 under 35 U.S.C. §103 based upon the proposed combination of the *Salmon, et al.* and *Wagatsuma, et al.* references with the *de Jong, et al.* reference. There is no *prima facie* case of obviousness because that combination cannot be made. There is no benefit to adding another diverter sheave as shown in *de Jong, et al.* to the proposed combination of the *Salmon, et al.* and *Wagatsuma, et al.* references. The second diverter sheave of *de Jong* is for achieving the desired angle of wrap around the drive sheave of that reference. The *Salmon, et al.* reference already discloses an arrangement where the rope wraps around more than 250° of the drive sheave. Adding another diverter sheave will not add any beneficial feature to the arrangement of the *Salmon, et al.* reference, which already achieves a desired amount of traction through the configuration shown in that reference. Where there is no benefit to a proposed combination there is no motivation for making it and no *prima facie* case of obviousness. The rejection based upon the proposed combination of *Salmon, et al.*, *Wagatsuma, et al.* and *de Jong, et al.* should be withdrawn.

New claim 21 presents original claim 3 rewritten in independent form. That claim cannot be considered obvious because the proposed combination of *Salmon, et al.*, *Wagatsuma, et al.* and *de Jong, et al.* cannot be made for the reasons already provided.

Applicant presents claims 5 and 7 rewritten in independent form as claims 22 and 23, respectively. Those claims are allowable because the Examiner indicated the subject matter of claims 5 and 7 to be allowable. New claim 24 includes the subject matter from claim 12 that the Examiner indicated is allowable.

New claim 25 presents the subject matter of claim 19 rewritten in independent form. The Office Action appears to indicate that original claim 20 is allowable but the discussion of the §103 rejections includes a discussion of claim 20. Claim 19 was not discussed in the explanation

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of the §103 rejections. Applicant believes that the Examiner intended to indicate that the subject matter of claim 19 is allowable and, therefore, respectfully submits that new claim 25 is allowable.

Applicant believes that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilities moving this case forward to being issued, Applicants representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Applicant believes that fees in the amount of \$1,250.00 are required for five independent claims and five claims in excess of twenty. A credit card payment form is attached. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

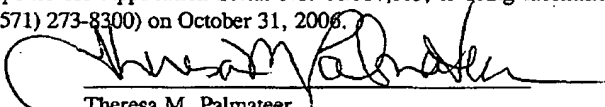
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Dated: October 31, 2006

CERTIFICATE OF FACSIMILE

I hereby certify that this Response for Application Serial No. 10/537,605, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on October 31, 2006.


Theresa M. Palmateer

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